



PATENT

Client-Matter No.: 66872-016

(P-AR 4802)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Steward et al.

Serial No.: 09/942,098

Filed: August 28, 2001

For: FRET PROTEASE ASSAYS
FOR CLOSTRIDIAL TOXINS

) Confirmation No: 6185

)

) Group Art Unit: 1645

)

) Examiner: N. Minnifield

)

) I hereby certify that this correspondence is being deposited
) with the United States Postal Service as first class mail in an
) envelope addressed to: Commissioner for Patents, P.O. Box
) 1450, Alexandria, VA 22313-1450 on February 3, 2004

) By: Andrea L. Gashler
) Andrea L. Gashler, Registration No.: 41,029

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

February 3, 2004

Date of Signature

RESPONSE TO OFFICE ACTION

Responsive to the Office Action mailed October 6, 2003, entry of the following amendments and consideration of the following remarks are respectfully requested.

Amendments begin on page 2 of this paper.

Remarks begin on page 7 of this paper.

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1645/8

AMENDMENT TRANSMITTAL LETTER			CLIENT-MATTER NO.: 66872-016 (P-AR 4802)	
SERIAL NO: 09/942,098	FILING DATE: August 28, 2001	EXAMINER: N. Minnifield	GROUP ART UNIT: 1645 CONFIRMATION NO.: 6185	
INVENTION: FRET PROTEASE ASSAYS FOR CLOSTRIDIAL TOXINS				

TO: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

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By: Andrea L. Gashler
Andrea L. Gashler, Reg. No. 41,029
February 3, 2004
Date of Signature

Transmitted herewith is a response to the Office Action mailed October 6, 2003, in the above-identified application.

- Small Entity status of this application has been established under 37 CFR 1.27.
- X Petition for Extension of Time is enclosed (in duplicate).
- Terminal Disclaimer with fee under 37 C.F.R. 1.20(d) is enclosed.
- X No additional claims fee is required.
- An additional claims fee is required and has been calculated as shown below:

CLAIMS AS AMENDED

	NUMBER AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		NUMBER OF EXTRA CLAIMS PRESENTED		RATE		FEE	
							SMALL ENTITY	OTHER ENTITY	SMALL ENTITY	OTHER ENTITY
TOTAL CLAIMS	48	-	166	-	0	x	\$9	\$18	= \$	\$0
INDEPENDENT CLAIMS	2	-	7	-	0	x	\$42	\$84	= \$	\$0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			YES		X NO		\$140	\$280	= \$	\$0
							TOTAL ADDITIONAL FEE		\$	\$0.00

* If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.

** If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.

*** If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 0, write "0" in the space.

Inventors: Steward et al.
Serial No.: 09/942,098
Filed: August 28, 2001
Page 2

- X Please charge my Deposit Account No. 502624 the amount of \$110.00, which covers the fee for a one-month extension of time. A duplicate copy of this sheet is enclosed.
- X The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 502624. A duplicate copy of this sheet is enclosed.
- X The Commissioner is hereby authorized to charge to Deposit Account No. 502624 any fees under 37 CFR 1.17 which may be required under 37 CFR 1.136(a)(3) for an extension of time in any concurrent or future reply requiring a petition for extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Andrea L. Gashler

Andrea L. Gashler
Registration No. 41,029
McDERMOTT, WILL & EMERY
4370 La Jolla Village Drive
Suite 700
San Diego, California 92122
858-535-9001



INVENTION TRANSMITTAL LETTER			CLIENT-MATTER NO.: 66872-016 (P-AR 4802)	
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INDEPENDENT CLAIMS	2	-	7	-	0	x	\$42	\$84	=	\$	\$0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			<u> </u> YES		<u> </u> X NO		\$140	\$280	=	\$	\$0
							TOTAL ADDITIONAL FEE			\$	\$0.00

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